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### **III. REMARKS**

#### **Present Application**

Claims 2-43, 49-50, and 52-60 have been pending in this application. Claims 49-50 have been canceled without prejudice. The Claims 2-43 and 52-60 have been allowed.

### **RESPONSE TO REJECTIONS**

#### **35 U.S.C. §102(e)**

##### **The Examiner's Position:**

The Examiner has rejected claims 49-50 under 35 U.S.C. §102(e) as being anticipated by U.S. 5,937,097 to Lennon for the same reasons as previously alleged by the Examiner.

##### **Applicant's Response:**

Applicant respectfully traverses the Examiner's 35 U.S.C. § 102(e) rejections of claims 49-50 as presently amended, in part on the basis that the reference recited does not disclose each of the elements of any of the pending claims. Applicant respectfully finds no correspondence in the Lennon reference for a method of estimating spatial changes occurring between a first data set and a second data set comprising generating a search region about a data subset from one of the first and second data sets, applying a related data subset from the other of the first and second data sets to the same search region; and traversing incrementally the related data subset within

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the same search region to a spatial position representing a best incremental match, and of amended claim 50, further traversing fractionally the related data subset within the search region to a position representing a best fractional match. On the contrary, the Lennon reference cited by the Examiner appears to be directed to temporal domains only, while the instant fractional searches are only applied in the spatial domain.

As claim 50 depends from claim 49, it is further asserted that claim 50 is not anticipated by the Lennon reference. However, in order to expedite the grant of the presently allowed claims, Applicant has cancelled claims 49 and 50 without disclaimer or prejudice.

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**CONCLUDING REMARKS AND REQUESTS**

Early notification of allowance is respectfully solicited.

Respectfully submitted,

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Hans-Peter G. Hoffmann  
Reg. No. 37,352  
Agent for Applicants  
Pillsbury Winthrop LLP  
695 East Main Street  
Stamford, CT 06901  
Phone: 203-965-8271  
Fax: 203-965-8226  
E-mail: [hhoffmann@pillsburywinthrop.com](mailto:hhoffmann@pillsburywinthrop.com)

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